IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.39459 of 2008
1. KHADERAN BHAGAT,S/0 LATE SOHAN BHAGAT
2. SURESH BHAGAT, S/O KHADERAN BHAGAT
3. MUKESH BHAGAT, S/0 KHADERAN BHAGAT
ALL ARE RESIDENT OF VILLAGE-CHATAR TOLA,
MASHINGANJ, P.S. KHUDWAN,DISTRICT-AURANGABAD
.....PETITIONERS
Versus
THE STATE OF BIHAR.....OPPOSITE PARTY
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2. 05.12.08. Mr. Surendra Prasad Singh, learned counsel appearing on behalf of the petitioners submits that during the pendency of this case Petitioner No. 2 Suresh Bhagat has been arrested, hence this application for grant of anticipatory bail has become infructuous against him and is accordingly dismissed as against him.

The petitioners apprehend their arrest in connection with Khudwan P.S. Case No. 20/2008 for offences under Sections 147, 148, 149, 447, 341, 323, 324, 504 and 307 of the Indian Penal Code.

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It is submitted on behalf of the petitioners that on account of differences for digging the land there was a minor marpit between the informant and the petitioners. In the said marpit, both parties sustained a few injuries. However, the petitioners had no intention to assault or killing the informant.

It is further submitted that no allegation has been levelled against Petitioner No. 1. However, he happens to be father of Petitioner No. 1 , who has been implicated in this case alleging that he was also participated in the marpit.

Considering the above submissions and on perusal of the allegation, it is directed that in the event of arrest or surrender within a

period of four weeks from today, the petitioners namely, (1) Khaderan Bhagat and (2) Mukesh Bhagat shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Daudnagar, Aurangabad, in connection with Khudwan P.S. Case No. 20/2008. subject to the conditions as laid down under Sub Section 2 of Section 438 of Code of Criminal Procedure.

m.p. **(Shailesh Kumar Sinha,J.)**

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